

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2010-002506

07/20/2010

JUDGE PRO TEM LISA ANN VANDENBERG

CLERK OF THE COURT  
E. Morgenstern  
Deputy

BRAD WALKER

BRAD WALKER  
2323 W DUNLAP AVE #146  
PHOENIX AZ 85021

v.

STATE OF ARIZONA

MARICOPA COUNTY ATTORNEY

KRYSTAL GARZA  
BRANDON A NEWTON  
MCSO-CRIMINAL PROCESS SECTION  
MVD MAIL DROP 818Z  
VICTIM SERVICES DIV-CA-CCC  
MICHAEL K JEANES  
CLERK OF THE COURT  
SUPERIOR COURT OF ARIZONA  
601 W JACKSON  
PHOENIX AZ 85003  
ARIZONA DEPARTMENT OF PUBLIC  
SAFETY  
2102 W ENCANTO BLVD  
PHOENIX AZ 85009-2847

MINUTE ENTRY

An Oral Argument was scheduled and held before this Court on May 28, 2010. The State failed to appear; at hearing the Court learned Deputy C. Guyette was an alleged victim in the matter. The Court issued a minute entry on 6/1/2010 that endorsed the Maricopa County Attorney's Office, the charging Attorney Kristin Garza, Victim Services, the Maricopa County

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Sheriff's Office and its Counsel directing any objecting party to file a response within 30 days. The Minute Entry made five findings based on Mr. Walker's uncontroverted presentation at Oral Argument. Given that this Court has not received any objections from the endorsed parties, the Court will grant Mr. Walker's request for Clearance upon his record pursuant to ARS 13-4051.

The Court incorporates herein findings 1-5 enumerated within the Minute Entry dated 6/1/2010. The Court FINDS:

1. The alleged incident occurred on January 30, 2009 at 201 West Jefferson, Central Court Building, within Commissioner French's Courtroom.
2. A Direct Complaint was filed on April 25, 2009 in the Downtown Justice Court, Maricopa County, State of Arizona by Deputy County Attorney Krystal Garza in JC2009129009-001. The Complaint alleged that on or about January 30, 2009, Brad Walker recklessly defaced or damaged property, to wit: glasses of Deputy Guyette, causing damage in an amount of \$250 or less in violation of ARS 13-1602, 13-1601, 13-707 and 13-802.
3. Mr. Brad Walker admits that he was in Commissioner Colleen French's Courtroom in the Central Court Building on January 30, 2009. Mr. Walker denies encountering a Deputy with eyeglasses while in the Central Court Building on January 30, 2009. Mr. Walker denies all events described in Maricopa County Sheriff Incident Report/ Supplement 09-018110.
4. Mr. Walker denies anyone speaking with him regarding an allegation involving glasses or criminal damage either while in the courtroom that day or at anytime prior to arrest on August 18, 2009. On that date, Walker was arrested when leaving Judge Warner's Courtroom in the East Court Building. Thereafter the matter proceeded to Initial Appearance Court and then over to the Downtown Justice Court for hearing on September 2, 2009.
5. Mr. Walker argues that it wasn't until at the 9/2 hearing, that the County Attorney provided any indication that there was an allegation of criminal damage having occurred on January 30, 2009

Given that these findings are uncontroverted,

IT IS THEREFORE ORDERED that entries be immediately made in all court and police records stating that the Defendant, Brad Walker has been "cleared" of any Criminal Damage charges arising out of an event alleged to have involved Victim Deputy C. Guyette and occurred on January 30, 2009 at 201 West Jefferson, Central Court Building, Phoenix, Arizona.

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IT IS FURTHER ORDERED that the Arizona Department of Public Safety, Maricopa County Sheriff's Office, Downtown Justice Court, State of Arizona Superior Court, and any other agency or court maintaining records concerning the Criminal Damage charges and court proceedings described here in (see finding paragraphs 1,2,3,4) shall not release any such court record or police record to any one except by order of the Court. A.R.S. § 13-4051(B).

IT IS FURTHER ORDERED the Clerk of the Arizona Superior Court, Maricopa County shall deliver a certified copy of this final order to the following necessary entities: Arizona Department of Public Safety, Maricopa County Sheriff's Office, and Downtown Justice Court.